REMARKS

In view of the foregoing amendments and following remarks, reconsideration is requested.

Claims 1, 9, 23 and 45-67, of which Claims 1, 9, 23, 45, 46 and 65-67 are independent, are pending in this application. Claims 1, 9, 23 and 45-67 are rejected. Claim 67 is amended.

Summary

The Office Action asserts on page 10 that "Since the claims do not specify how the moving picture be recorded or reproduced from a medium is edited, the selection of **a sequence** of the digital still images by using a file and points as recited in the claims meet the combination of the applied art." (emphasis added)

There are several errors in this statement.

First, there is an assumption that the combination of the applied art in the Office Action is appropriate, i.e., would have been made by one of ordinary skill in the art. As was pointed out in prior replies, *none* of the cited references describes *any* editing of a sequence of video clips *in the same housing as the camera*. *All* of the cited references use a personal computer, separate from a camera, to perform *any* such editing function. Of the references relied upon (Peters, Reber, Washino I, Washino II and Bluth), *all* of them have editing functions, if any, in a personal computer and separate from a camera.

Second, and interrelated with the first error, the Office Action appears to assert that the claim language of "a sequence of segments of at least the sequences of digital still images stored on the digital computer-readable and writable random-access medium, wherein each segment is defined by a reference to a data file storing a selected sequence of digital still images and by points designated in the selected sequence of digital still images, wherein the points may be designated at any digital still image" can be interpreted as the mere selection of a point in a video clip for playback. This is not a correct understanding of the claims. All of the claims recite that a user may define, or specify, the "sequence of segments". The claim recites "segments" in the *plural*. Thus, there is a sequence of *multiple segments, each of which* is defined by a. a reference to a data file and b. points designated in the sequence of still images stored in that data file. Thus, the claims do not involve a mere selection of a single clip for playback as suggested by the Office Action. Instead, the claims *do* specify how a moving picture is edited -- by enabling a

user to specify or define "a sequence of segments" of the various data files that are stored in the camera. It is this edited sequence that is then played back.

Accordingly, the Applicant repeats below, with clarifications, arguments that have been made before. One of the independent claims, namely claim 67, has nonetheless been amended in an attempt to clarify "editing" further. In particular, this claim was amended to specify that a *plurality* of segments may be defined and that the individual is enabled "to specify and edit a sequence of the defined plurality of segments." This subject matter of claim 67 is not described by any reasonable combination of the applied references.

Rejection Under 35 U.S.C. §103 in view of Peters, Kojima and Reber

Claims 1, 9, 23, 45-56 and 58-67, of which claims 1, 9, 23, 45, 46 and 65-67 are independent, were rejected under 35 U.S.C. §103(a) in view of U.S. Patent No. 5,946,445 ("Peters") and U.S. Patent No. 5,168,363 ("Kojima" et al.) and U.S. Patent No. 5,267,351 ("Reber")

According to Peters, a system stores audio and/or video material digitally such that it can be randomly and immediately accessed.[1] In Fig. 1 of Peters, "analog video sources 1 and analog audio sources 2 are received by video coprocessor 3 and audio coprocessor 4."[2] "Each of the coprocessors digitizes incoming material and stores it on storage devices 5."[3] Such storage is "typically on a magnetic disk or in a computer memory."[4] Separate files are created in response to a discontinuity in the video information received. Fig. 1 illustrates that sources of analog video received by the media recorder include such things as a video tape recorder, a video camera or a video assist of a film camera.[5] "The storage of clips on disk . . . allows multiple clips to be played back in sequence."[6] The computer and video system in Fig. 1 can be designed for portability.[7] In summary, Peters teaches a portable computer system that receives a video signal and stores video information in data files on a digital random-access computer readable and rewriteable recording medium. Notably, Peters neither teaches nor suggests that editing

[1] Peters, col. 2, lines 17-21.
[2] Peters, col. 2, lines 30-32.
[3] Peters, col. 2, lines 35-36.
[4] Peters, col. 2, lines 18-19.
[5] Peters, see Fig. 1.
[6] Peters, col. 3, lines 32-34.
[7] Peters, col. 3, lines 43-45.

functionality as claimed (in particular, "a sequence of segments of at least the sequences of digital still images stored on the digital computer-readable and writable random-access medium, wherein each segment is defined by a reference to a data file storing a selected sequence of digital still images and by points designated in the selected sequence of digital still images, wherein the points may be designated at any digital still image") should be provided in the same portable housing as a motion video camera.

The Office Action acknowledges that Peters "fails to specifically teach that the motion camera mounted in the housing having the recorder. [sic]"[8] It is probably more accurately stated that Peters teaches that a motion video camera is separate from Peters' computer system which receives a video signal from such a camera.

Kojima relates to a "video signal processing apparatus for use with a video tape recorder (VTR) with a built in camera."[9] (emphasis added.) The Office Action asserts that Kojima teaches "combining a camera with recorder for making a portable apparatus is well known".[10] Applicant respectfully disagrees. Kojima teaches nothing more than the fact that it is common to have a video tape recorder (VTR) with a built in camera, as discussed in the Background portion of the Applicants' specification.[11] Notably, Kojima neither teaches nor suggests that editing functionality as claimed should be provided in the same portable housing as a motion video camera. While Kojima might suggest that *recording* functionality should be provided in the camera, one cannot draw any such conclusion about *editing* functionality.

The Office Action asserts that Peters as modified with Kojima fails to teach an editing means that identifies a segment using a file and points.[12] However, Applicant disagrees that Peters and Kojima describe any editing means in the same housing as the camera. While the Examiner has asserted that *the recorder* of Peters could be combined with a camera, Kojima does *not* suggest that any other functionality in Peters' computer system belongs in the same housing as the camera.

[8] Office Action, page 4, lines 2-3.
[9] Kojima, Fig. 1, and col. 1, lines 10-11.
[10] Office Action, Page 4, lines 3-4.
[11] Specification, page 1, lines 13-14.
[12] Office Action, page 4, lines 10-11.

According to Reber, in a nonlinear editing system "[s]ource material from some source (video tape, audio recording, film etc.) is broken down into a series of separate 'clips' representing the material desired for the final master, and then reassembling these 'clips' into a final sequence achieving the desire of the editor and producer. . . . In a non-linear system the typical approach involved alloting to each clip an associated digitized section of the original source in storage on the system in a 'media file'."[13] The Office Action asserts that "the editing of Reber capable using with motion camera [sic]".[14] Applicant respectfully disagrees. Reber describes, at Col. 1, lines 1-10, what nonlinear editing generally involves:

> "Non-linear editing on computer oriented systems involves digitizing media data recorded from a linear source, e.g., a video tape cassette, and storing the digitized media data on a storage device, e.g., a hard disk drive. Once digitized, the media data can be accessed quickly at any point in the linear sequence in which it was recorded so that various portions of the data can be accessed and edited in a non-linear way."

This portion of Reber has nothing to do with having editing functionality within a camera. The Reber patent does not even include the word "camera." Accordingly, Reber neither teaches nor suggests that editing functionality as claimed should be provided in the same portable housing a motion video camera.

One way of evaluate the issue of nonobviousness of the present claims is to ask, in view of the prior art, in what system should the claimed editing functionality reside? More particularly, in what system should "a motion picture editing system within the housing for enabling the individual to specify a sequence of segments of the sequences of digital still images stored on the digital, computer-readable and writable random-access medium, wherein each segment is defined by a reference to a data file storing a selected sequence of digital still images and by points designated in the selected sequence of digital still images, wherein the points may be designated at any digital still image", as claimed (emphasis on the plural "segments" added), reside?

None of Peters, Kojima, nor Reber teaches or suggests that the claimed editing functionality (namely "a motion picture editing system within the housing for enabling the

[13] Reber, col. 1, lines 23-32.
[14] Office Action, page 4, line 17.

individual to specify a sequence of segments of the sequences of digital still images stored on the digital, computer-readable and writable random-access medium, wherein each segment is defined by a reference to a data file storing a selected sequence of digital still images and by points designated in the selected sequence of digital still images, wherein the points may be designated at any digital still image", as claimed) should be provided in the same portable housing as a motion video camera.

All of the prior art cited in this ground of rejection (and the others below) plainly teach that nonlinear editing of recorded video and audio is performed using a computer system that is in a housing that is separate and distinct from a motion picture camera. None of the prior art relied upon teaches or suggests that the claimed editing functionality should reside in the same portable housing as the motion video camera.

Therefore, because none of the references teaches or suggests the claimed combination, the rejection is traversed.

Rejection Under 35 U.S.C. §103 in view of Peters, Kojima, Reber and Uekane

Claims 51 and 57, which are dependent, were rejected under 35 U.S.C. §103(a) in view of Peters, Kojima, Reber, and U.S. Patent 5,559,554 ("Uekane").

Because claims 51 and 57 are dependent claims, they are allowable for the same reasons as the independent claims as discussed above.

Rejection Under 35 U.S.C. §103 in view of Bluth, Washino I and Reber

Claims 1, 9, 23, 45-47, 58 and 65-67 of which claims 1, 9, 23, 45, 46 and 65-67 are independent, were rejected under 35 U.S.C. §103(a) in view of U.S. Patent No. 3,617,626 ("Bluth") and U.S. Patent No. 5,537,157 ("Washino I") and U.S. Patent No. 5,267,351 ("Reber").

The Office Action *still* asserts[15] that Bluth teaches a "housing sized to be portable for use by an individual," referring to Fig. 1 of Bluth. No such housing is shown in Fig. 1 of Bluth. Instead, Fig. 1 is referred to as a "system" throughout Bluth. There is nothing in Bluth that teaches or suggests that all of the components of this system, particularly editing, are found in a

[15] Office Action, page 7, line 6.

portable housing. In particular, Bluth clearly does not teach that the claimed editing functionality is provided in the same portable housing as a motion video camera. Applicant respectfully requests the Examiner to identify some *specific* evidence relied upon for the assertion that Bluth teaches a housing sized to portable by an individual in Fig. 1.

Applicant also notes that the Office Action asserts[16] that Bluth discloses a "means for selecting a sequence of the stored sequence still images to be reproduced." This is not the language used in the claims. The claims recite enabling a user to specify or define "a sequence of segments", note the plural, "of the sequences of digital still images stored on the digital computer-readable and writable random-access medium."

Washino I states that *editing* functions are performed in a personal computer. In particular, Washino I states "[i]n the preferred embodiment, specialized graphics processing capabilities are included in a high-performance personal computer or workstation, enabling the user to edit and manipulate an input video program and produce an output version of the program in a final format which may have a different frame rate, pixel dimensions or both."[17] Washino I further states "[t]he system . . . allows an operator to control equipment . . . at a centralized personal computer to produce, edit and record a video program. Each camera to be used with the system . . . feeds a signal to the personal computer . . ."[18] Thus, Washino clearly does not teach that the claimed editing functionality is provided in the same portable housing as a motion video camera.

Reber was discussed above. Notably, Reber neither teaches nor suggests that editing functionality as claimed should be provided in the same portable housing a motion video camera.

Thus, Bluth, Washino I and Reber plainly teach that nonlinear editing of recorded video and audio is performed using a computer system that is in a housing that is separate and distinct from a motion picture camera.

Not a single one of Bluth, Washino I or Reber describes any editing functionality that is in the same portable housing as a motion video camera. Therefore, it is unreasonable to conclude that one of ordinary skill in the art would have found it obvious from these references to include any means for allowing a user to specify or define ""a sequence of segments of at least the sequences of digital still images stored on the digital computer-readable and writable

[16] Office Action, page 7, lines 16-17.
[17] Washino I, col. 2, lines 45-51.
[18] Washino I, col. 3, lines 54-60.

random-access medium, wherein each segment is defined by a reference to a data file storing a selected sequence of digital still images and by points designated in the selected sequence of digital still images, wherein the points may be designated at any digital still image" in the same portable housing as a motion video camera.

Therefore, because none of the references teaches or suggests the claimed combination, the rejection is traversed.

Rejection Under 35 U.S.C. §103 in view of Washino II and Reber

Claims 1, 9, 23, 45-47, 58 and 63-67, of which claims 1, 9, 23, 45, 46 and 65-67 are independent, were rejected under 35 U.S.C. §103(a) in view of U.S. Patent No. 5,488,433 ("Washino II") and U.S. Patent No. 5,267,351 ("Reber").

According to Washino II, a camera includes a lens and viewfinder mounted on the body of a camera frame, and usual signal processing circuitry.[19] The video information may be compressed.[20] The video information may be stored on a hard disk drive 70.[21] For editing to be performed, such editing is performed in a personal computer.[22]

Reber was discussed above. Notably, Reber neither teaches nor suggests that editing functionality as claimed should be provided in the same portable housing a motion video camera.

It is inappropriate to rely on the applicants specification, as is done at page 9, lines 19-20, of the Office Action, for any suggestion to combine or modify the teachings of the prior art.

Thus, Washino II and Reber plainly teach that nonlinear editing of recorded video and audio is performed using a computer system that is in a housing that is separate and distinct from a motion picture camera. None of the prior art relied upon teaches or suggests that the claimed editing functionality should reside in the same portable housing as the motion video camera.

Therefore, because none of the references teaches or suggests the claimed combination, the rejection is traversed.

[19] Washino II, Fig. 1 and col. 3, lines 20-30.
[20] Washino II, col. 4, line 57 to col. 5, line 2.
[21] Washino II, Fig. 2 and col. 4, line 17.
[22] Washino II, col. 5, lines 13-16.

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CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this reply, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an additional extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, please charge any fee to **Deposit Account No. 50-0876.**

Respectfully submitted,

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